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ABSTRACT

The first conference (1966) of the Canadian Indian-Eskimo Association was designed to provide opportunities for Indians and Eskimos to express their views publicly so that Canadians might better understand the Indian problems. In Part I of the document, a report is given on the conference symposium entitled "Equal Opportunity in Our Land," along with reprints of 2 addresses: one about the government of British Columbia and the opportunities and problems of its Indian citizens where the incorporation of reserves as full municipalities is discussed, and the other about legal problems, rights, and responsibilities of the Indian. Part II presents reports on the 4 discussion groups, which dealt with (1) housing, education, health, and welfare; (2) industry and development; (3) Indians and the law; and (4) communication. Concluding comments on the conference point out the need for action and youth involvement within organizations. (AN)

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INDIAN - ESKIMO ASSOCIATION

OF CANADA.

277 Victoria Street
Toronto 200, Ontario

CONFERENCE

ON

CONCERNS OF INDIANS IN BRITISH COLUMBIA

THEME: " EQUAL OPPORTUNITY IN OUR LAND"

Hotel Vancouver
Vancouver, B.C.

December 2-4, 1966.

Sponsored
by

British Columbia Interim Committee

of

The Indian-Eskimo Association of Canada.

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PREFACE

It is a pleasure to bring to you the report of the first Conference of the Indian-Eskimo Association held in British Columbia. It is our sincere hope that it will be an annual event.

This Conference, like all other I.E.A. meetings, was structured to give the Indian people an opportunity to identify and discuss their problems and concerns in public, so that Canadians in general may better understand what needs to be done to ensure that Indian Canadians are given opportunity for progress and fulfilment equal to that afforded others.

The response to this first Conference was most gratifying. All of us were greatly impressed with the sincerity of the discussions in seeking answers to the problems. The participation of so many able young people was certainly one of the highlights.

I take this opportunity of congratulating all the speakers and discussion leaders for their excellent contribution to the success of the meetings. We are all very much in debt to Mr. Alfred Scow, the Conference Chairman, for the efficient way in which he conducted the Conference.

D. R. MacLaren
Chairman of B.C. Committee of I.E.A.

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PART I

Report
on

1. SYMPOSIUM DISCUSSION ON THE THEME:

"EQUAL OPPORTUNITY IN OUR LAND"

2. "THE GOVERNMENT OF BRITISH COLUMBIA AND ITS INDIAN CITIZENS - OPPORTUNITIES AND PROBLEMS"

Address by: The Hon. Mr. Daniel R.J. Campbell
Minister, Dept. of Municipal Affairs
Government of British Columbia

3. "INDIANS AND THE LAW"

Address by: Mr. Alfred Scow, Crown Prosecutor
City of New Westminster, B.C.

THEME: "EQUAL OPPORTUNITY IN OUR LAND"

Symposium of speakers (Indian ancestry) dealing with Conference theme.

Chairman: Mr. Alfred Scow

Speakers: Chief Simon Baker
Mrs. M. Cantryn
Mrs. G. Guerin
Mr. Wm. Mussell
Chief W.D. Scow
Chief Wilson Bob
Mr. Robt. Clifton
Mr. Ross Modeste
Chief Philip Paul
Mr. H.A. Smitheram
Mrs. M. White

Introductory remarks: by the Conference Chairman.

Mr. Alfred Scow, in opening the Conference, outlined the origin and purpose of the Indian-Eskimo Association. He said that I.E.A. came into being in 1960, and that it was a citizens' organization made up of Indians, Eskimos and sympathetic non-native persons concerned with the achievement of Indians and Eskimos. He went on to say that one of the main functions of the Association was that of giving Indians and Eskimos an opportunity to express their views publicly so that Canadians in general might understand more fully the problems the nation's original citizens face in attaining and retaining equality of opportunity in their own land.

Mr. Scow invited the speakers and all the delegates to take full advantage of the forum in raising and discussing the major problems and concerns.

Summary of points made by the speakers

- There is a serious lack of communication among the Indian people, since the communities are small and scattered throughout the province. The people are also held apart by tribal and language differences, etc.
- The older people, particularly in the isolated areas, tend to

hold on to the traditional ways and discourage the younger generation from adjusting to the ways of modern society. The Indian Youth need more opportunity to attend meetings like we are having here now.

- Very little publicity is being given to progress many young Indians are making, while the failures and negative experiences get too much attention. More accent on the successes is sorely needed.
- Indian Youth coming to cities experience great difficulty in getting accommodation. In most instances they are left to drift into the slums. There is virtually no focal point in most cities where Indian Youth can go to get help in finding decent living accommodation, or learn about employment or training opportunities. Similarly they are unfamiliar with the "jungle" of social services that exist in most cities. There is an urgent need to correct the lack of planning and co-ordination of the services at the local level to ensure that these services are readily usable.
- Concern was expressed about the inadequacy of medical and dental services for Indians in the City of Vancouver. It was pointed out that medical doctors serving with the Indian Affairs Branch are not available for emergencies that develop at night. To qualify for service, an Indian must become ill during "working hours". About 90% of students coming to Vancouver need dental work. Many young students require extractions (in a large number of cases, all their teeth). Under the prevailing services, these students must wait for months for dentures, which adds to their feeling of inferiority.

- To understand the present plight of the Indian people, one must recognize the fact that the reserve system isolated the Indians from the main stream of Canadian life. The government's protective role created an attitude of dependence. The education offered Indians has been grossly inadequate over the years. The public simply does not understand the magnitude of the problems of adjustments that Indians face in breaking the bondage of paternalism. The present more progressive approach by the government can anticipate the drawing of more favourable responses from the Indian people - particularly from the younger generation.
- Canadians in general need to be more patient with the Indian people. More effort is needed to <u>really understand</u> what the Indian people face in the transition. For example, consider the image the Young Indian inherits. In our school text books (history and social studies, literature, etc.), on T.V. and in the movies, the Indian is portrayed as a savage - lazy, shiftless and unreliable, etc. One of the greatest hopes of most Indian people is that they be accepted as persons, possessing all the potentials, desires, and aspirations of other human beings and capable of adjusting to the changing world.
- Before the white man's arrival, Indians were a proud people. They had their own education program which suited the times and circumstances. "Hand-outs" would have been unacceptable to their proud grandparents. The present depressed state of Indians is the result of a sequence of events and conditions. It is hoped that the older and younger generations can work together to restore the traditional pride and at the same time adjust to the modern age.

- It was vigorously pointed out that the white man's society was no paradise. "Making it" in modern society was not a very inspiring goal. The "goals" of white society need to be evaluated. There is much in the Indian value system that is needed by the so-called modern society. This suggests that integration could well be a reciprocal proposition.
- Indian communities are in sore need of help in the development of new industries. This means access to technical assistance and finances. The grants under the revolving fund are far too small and the other grants supposedly available are too difficult to get because of the red tape.
- Indians need to be given an opportunity to administer their own affairs. More Indians should be employed in Indian Affairs Branch. Indian administrators should be employed at the reserve level. While grants have been set up to enable the employment of local Indian administrators, experience has shown these grants are out of reach of most reserves due to layers of red tape.
- There is an urgent need to re-vamp the various training schemes. Far too much emphasis is being given to academic subjects. There are many jobs that Indians can be trained to handle where very little academic education is needed. The training schemes need to be geared much more closely to employment opportunities, and syllabuses related directly to the knowledge and skills actually needed, etc.
- It was noted that immigrants have been given a much better training program than has been offered the migrating Indian.
- Deep concern was expressed about treatment Indians receive from the law enforcement agencies. A large proportion of Indians are

unaware of their rights as citizens of Canada. This has led to serious abuses. It was noted that a pre-sentence report is made for non-Indians in court, but not always for Indians and this often leads to sentences more severe than necessary. (This whole problem is currently being investigated by a National Committee of the Canadian Welfare Council. The report will be published in March, 1967.)

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Following the symposium the Conference broke into four discussion groups.

THEME: "THE GOVERNMENT OF BRITISH COLUMBIA AND ITS INDIAN CITIZENS - OPPORTUNITIES AND PROBLEMS"

ADDRESS BY: THE HON. MR. DANIEL R.J. CAMPBELL, MINISTER, DEPT. OF MUNICIPAL AFFAIRS, GOVERNMENT OF B.C.

I believe that the important thing is a clear-cut discussion of problems, a clear-cut definition of problems, and the move towards the solution of those problems. I would go further and say that one of the problems facing government today is that far too many people run around the country defining problems and spend so much time on definition of problems, that are not interested in asking what the solution might be or "what would I do about the problems". I think one of the dangers of an Association such as this is that if it is a creation which is designed only to concentrate on problems and spend time on definition of problems, it will get nowhere; because most of the government's problems stem from the pre-occupation with the definition of the problems.

I will take a particular problem area and examine it by definition, and then illustrate that all problems have solutions if someone really wants to make it their business to solve them.

For a long time in B.C. there has been talk about incorporation of reserves as full municipalities. This is basically a good idea. In fact, most problems connected with it are largely legal and technical. If this is true, then legal and technical problems can be clearly stated and can be removed if someone wants to push the button.

I happen to believe that government - whether federal, provincial or local - is the most important thing that we do as people and citizens; and Indian

people happen to be the concern of one department of government whose one objective is to go out of business - that cannot be said of many government departments.

If we say that the municipal incorporation of Indian reserves is in fact a good thing, then having stated that we can move on to how this can come about and the problems created.

The problem is that municipal government has only one good reason for existence, and that is the looking after of private property. The authority of local government in fact rests on the occupation of lands by people, and the transfer of individuals' rights to a municipal corporation in order to regulate and make a livable community resting on the individual ownership of the land within the community. Considering that question, it also must be said that if a municipality has that right, what the individual has done is to say "if you do not pay the taxes to that municipal corporation for the regulations and things they do to make your community livable, then that municipality has the right to lift the individual ownership of your land for non-payment of taxes they are using to make it a more useable place." There can be no ducking away from that aspect of the problem.

In dealing with this problem, what can be done? It really boils down to seven points:

1. There is no good reason why there cannot be such a thing as an Indian municipality, and therefore the Municipal Act would have to be amended so that an Indian living on a reserve having a certificate of ownership would, in fact, be an elector or participant in local government.

2. It would have to be an amendment to the Municipal Act to provide that the individual, like all individuals in a municipality, would not be exempted from taxes which his <u>own municipality</u> might impose on him. Therefore that person defined as an owner would have to be a taxpayer in his own municipality.

3. There would be the problem of recovery by the municipality of the taxation levied. Because the problem on Indian reserves is different, special provisions would be needed. If an individual had a certificate of ownership and was delinquent in taxes, his property would go back to the municipality which would be an Indian municipality, and that municipality would have the right to lift his certificate of ownership <u>but not the right to transfer this property to someone other than another Indian</u>. Therefore that municipality having its own corporation would never transfer the land to anyone other than another Indian.

4. In B.C. we have different kinds of municipalities - villages, towns, cities, and district municipalities - and all have different responsibilities. Most of the possible areas in B.C. where municipality incorporation could take place on a reserve are villages, and therefore in terms of villages there are very few real responsibilities in the areas of welfare, health, policing, etc. In main, the population of most areas that could be considered for incorporation are villages, and therefore it would be a village municipality. Because of the peculiar relationship of the land to the Indian people, the condition should be made that no one could mortgage the land by way of a normal

kind of municipal debenture and have it transferred outside the Indian people themselves. I am implying that the Government of Canada would have to loan money for development and services, etc.

5. If it appears feasible to create a village municipality, consideration should be given not only to municipal taxation which the individual might wish to impose on himself, but also to other areas of taxation; and the main one is in the social area - hospitals and schools by way of property. Therefore, if a municipal incorporation is to take place and taxation levied for those things, then it should follow that the provincial government should be willing to pay homeowner grants and should be willing to pay the per capita grant if they are in the whole area of social services by way of taxation.

6. No incorporation should take place anywhere without the vote of the to-be-ratepayers. 99½% of B.C. is unorganized and the only way to be organized is by the vote of the to-be-ratepayers. Sixty percent of the people in the area must agree that they want incorporation before it can take place.

7. Perhaps the most important point other than the question of land, is that within a reservation a band council has certain functions; and as time has gone along the band council has become a municipal council in its own right, and that is a good thing. However, if there was to be in fact a technical and legal council within a village which was a reserve, it follows that the Indian band rights would have to be transferred to the municipal council so that the municipal council would be, as an elective body, the governing group so there could be no conflict between

band council and municipal juridical council and others. The municipal council would replace the band council. What would this mean on some reserves? I would suspect that the band council would remain in place; that the band council would become the ratepayers' association and that they would evaluate the work of council.

Legally and technically, that would be the municipal picture.

Finally, would I as Minister of this particular department encourage it? The answer is "yes". But if you are really serious about this, please do some deep thinking about those seven points because they do have to be resolved. If you are serious, I am serious; and let me say this: there is far too much of a patronizing aspect towards the problems of Indians and other ethnic groups, both political and social. All Indian people I know are individuals in their own right. I like working with them as individuals and have learned to respect their judgment, and I think their judgment is as good as anyone else's.

"INDIANS AND THE LAW"

ADDRESS BY: MR. ALFRED SCOW, CROWN PROSECUTOR, CITY OF NEW WESTMINSTER, B.C.

I have been asked to speak on "Indians and the Law". As indicated in my introduction, I am a lawyer, for the past year and a half acting as Crown Prosecutor in the City of New Westminster; and I might say, at the risk of being accused of bragging, that the opportunities that are opening up for Indians today can be seen. The City of New Westminster saw fit to hire me as Prosecutor. Up to the time I was hired there was no permanent prosecutor, and when 45 people applied I have the feeling I was selected because I was a lawyer and not because I was an Indian. So opportunities are opening up for all of us. As someone has indicated, all Indians have to do is obtain qualifications and then pursue our goals.

The big question at this Conference is "Are there opportunities for Indians within the law?"

First, who is an Indian? By definition of the Indian Act, an Indian is a person who is registered as an Indian. There are exceptions, such as Indians who become enfranchised; another exception is an Indian woman who chooses to marry a white man. There is in the definition of Indians a failure to include all persons of Indian ancestry; Indians who were born as Indians can, simply by marriage, lose their status; Indians who have white fathers and Indian mothers also lose their status. The distinction does not end there, because there are a lot of Indians today living off reserves who were born into Indian families but chose to live off reserves for better opportunities for themselves and their children; by definition they are still Indians but not considered as such by the Department because

many services available to Indians on the reserves are not available to these people.

These benefits are very marginal. There is a move today to initiate changes, thanks to the efforts of such organizations as the Native Brotherhood of B.C. and meetings of this kind where we can point out what we do want. I think we all recognize that changes are coming about.

I believe that one of the most disturbing factors to the growth and development of Indians as citizens of this country is that we are governed by an Act called the Indian Act. This Indian Act was drafted many, many years ago and speedily passed for the purpose of protecting Indians. Some of the iniquitous provisions are that decisions of the Indian bands are subject to the approval of the Minister. Our Minister is the Minister of Indian Affairs and Northern Development; prior to that, the Minister of Citizenship and Immigration; and prior to that, the Minister of Mines and Resources. We have seen progress in that now we are recognized by the government as people, instead of minerals and resources.

I believe that the continuation of this restriction does prevent Indians from making decisions that they know are right for themselves. I know too, from past experience, that once an Indian Agent says "no" to a request of a band council or Indian chief, it stops with the Indian Agent who, by definition, is the Minister as far as our reserves are concerned. He is the authority by his position. Most of our people up to now have not realized that there were ways and means by which we could appeal to the Commissioner over and above the Indian Agent; and if the Indian Commissioner supported the stand of the Indian Agent, we also had the right of appeal

to the Director of Indian Affairs in Ottawa. Failing these things, we do have the right to go to the Minister and members of Parliament in Ottawa, because not too long ago we became citizens of Canada and, like all citizens, we have a vote and a say in who gets elected to Ottawa. Therefore like all other citizens, when we have a grievance we have the right to go to Parliament which passes legislation. By the efforts of organizations like the many native organizations, most of our people are now becoming more enlightened as to the kinds of things that everyone else takes for granted.

I think the Indian Act perpetuates our status as "second class" citizens. If the Indian Act is to be maintained, I feel as Indians we should say what that Act should contain. There are several organizations and people who think the Indian Act should be abolished. Perhaps this will come; but if it does come, it should come at the request and demands of the Indians and not some other group. I think we as Indians are coming to the stage where we are beginning to appreciate our legal and political status so that we can take appropriate action.

How does this legal status affect our opportunities? We have the federal vote and it has been stated that we have now the provincial vote; so that our status extends not only to the federal field but also to the provincial field. So we do have a status provincially as well. This means that our position in the past few years has changed. When we approach the government we no longer sit back and wait for the favors. We know our ground is sound, and the more we can appreciate this the further we can move in the years to come.

But the right to vote federally and provincially is also a responsibility. We must determine what various politicians stand for and then make our own choice. We should never be accused of being sheep; because one Indian votes for one party or person, we do not necessarily need to follow.

As far as statutes are concerned I could go on for hours. I will not do that, but will try to point out that Indians who come into conflict with the Criminal Code of Canada are all subject to the same penalties as anyone. We have equal status in the Criminal Code of Canada. We cannot expect any exceptions. At the same time, we do have rights under the Criminal Code. We have a right to defence, a right to a fair trial, a right to demand that the prosecution prove its case.

I know that the Crown is often hard put to prove its case; but as suggested earlier, a lot of Indians are not aware that when they plead "not guilty" the onus is on the Crown to prove its case. The person pleading "not guilty" is saying "prove that I did this illegally under the terms of the Criminal Code". Therefore it is not a crime to plead "not guilty", because it is up to the judge to determine whether or not you are criminally guilty under the law.

I urge all of you to appeal to organizations such as the Native Brotherhood, I.E.A., etc. to make funds available to Indians who cannot afford legal counsel. We do have a right to proper defence in order that we do have a fair trial. The Bill of Rights of Canada provides some of these things. One of the inequalities that may arise is out of the fact that a lot of Indians are not aware of their rights and do not have funds to make sure those rights are protected. Therefore interested organizations can meet

this problem.

In civil courts this is different. Any Indian can enter into a contract and it can be a binding contract. The Indian can be sued if there is a violation of that contract. On the other hand, the Indian can sue anyone who does not live up to the contract. Therefore we do have equal rights and these rights will be upheld.

Again, it is a two-way street. We have responsibilities and obligations under the law and no one is presumed not to know the law. Even if you break a law you did not know existed, you can be found guilty. I think it is important that our Indian people are made aware of these rights because they do exist.

One of the present anomalies in our law is the fact that we do not own land. I used to go to the Land Registry Office and check titles, and I would look back at the titles of people who owned property but nowhere in land registered titles do these titles go back to the Indians. The reason for this is the fact that in the union of British Columbia and the rest of Canada by the federal government, the lands of the province were turned over to the federal government to be held in trust for the use and benefit of the Indian bands, with additional provision that if any one of those bands became extinct the land reverted back to the province. There has now been a recognition of the Aboriginal Title of Indians to lands in Canada and British Columbia. This principle was supported by a decision of the Supreme Court of Canada. If Indians have a right to enter into treaties for the lands, therefore it follows that the Indians must have had a recognized legal right to enter into treaties with the government in exchange for the

title to the land. Most of the tribes in B.C. do not have treaties; most of the titles of bands in B.C. have been extinguished. As many people here know, this will be the subject of a long legal battle. Presently we are thinking in terms of negotiations. I know from my experience in law that this is not going to come easily.

The next move the government is going to make is this: we recognize your rights - now you prove how much those rights include. This is going to be the biggest job we must face. I do not think the government is going to give up without a fight. These are the things that we must anticipate. I do not doubt that we are going to be successful as long as we have the determination to know that what we are seeking is right, and I say it is right because I have studied English history from which our jurisprudence is derived.

It has long been proven that occupation gives a legal right to the land. I know that somehow the thinking is that we have been "taken" but do not know how. I suggest that this is one area in which change in attitudes can be brought about, but we must fight for it. This is the way of the law - we must prove our case. We cannot expect an overnight victory, but I think it is inevitable that we will get it as long as we have the strength to carry the law to them. This means we must retain the best possible legal advice, and that is lawyers with experience.

I feel it is important for all Indian people here to find ways and means to become aware of our legal rights and legal status. We do not have to think of ourselves as second-class citizens. We can bring about changes in the Indian Act and have our members of parliament support our cause, because it

is a right and just cause. All provincial statutes apply equally to Indians. In all my years of searching through statutes in the library, I have never come across a statute called "the White Act", and I think it is time we brought about a change with the support of white people here today.

I might say again that the subject of "Indians and the Law" is a very broad one, and I cannot do justice to it tonight; but I do know there are movements in this country not only by the Indians but also by the government. I belong to a National Committee on Indians and the Law. This Committee was formed over two years ago and in the past eight months field workers have been sent around to the various communities in Canada, and the Committee will be meeting next March to study the findings of the field workers and make recommendations to the government. The Committee's recommendations will probably not amount to very much; I think that some of them will be taken seriously, but I think that we as interested people are going to have to push further to bring about the implementation of the recommendations.

I say to you in closing that we do have rights but we also have responsibilities. We cannot expect these rights to be handed to us but are going to have to fight for them. In doing this, we can be assured that the future of Indians in B.C. and other parts of Canada will be secure, and also that our white brothers and sisters with similar interests as ours will be able to sit back and say "it's about time". I look forward to the future with a great deal of optimism because of the enthusiasm and response I have experienced in the last two days.

PART II

1. REPORTS OF DISCUSSION GROUPS
   - presented to Plenary Session

   I. Housing, Education, Health & Welfare

   II. Industry, Development & Employment

   III. Indians and the Law

   IV. Communication

2. INDIAN TREATY RIGHTS

3. CONCLUDING COMMENTS

REPORTS OF DISCUSSION GROUPS

I. HOUSING, EDUCATION, HEALTH & WELFARE — Discussion Leader: Benny Paul
Recorder: Chief Wilson Bob

HOUSING

It was noted that approximately $75 million was available in Canada for Indian housing, and one-fifth of that amount was to be used in B.C. The meeting stressed the point that good housing was an essential factor in education and health. To ensure progress in housing, it was felt that all Indian communities should be helped to develop housing committees to facilitate the full use of the available grants - I.E.A. could work with these committees, etc.

Resolution

Whereas housing is an outstanding problem throughout B.C., and whereas good housing is an essential factor contributing to education and health, and whereas the Federal Government has made available a housing grant insufficient to meet the needs of the Indian communities, and whereas many Indian communities, particularly those in remote areas, are not organized to take advantage of the housing grants, be it resolved that the Federal Government be requested

a) to increase its housing grant to enable the mounting of a building program that will be in line with the known needs; and,

b) to encourage the development of housing committees on reserves to enable the Indian people to participate in planning and development of the program needed.

EDUCATION

The meeting noted that the education services in the province were seriously deficient in a number of ways. There would appear to be lack of under-

standing of the significance of cultural factors in the learning situation. There is an urgent need for expansion of the nursery and kindergarten classes throughout the province. A large number of Indian Youth lack the academic grades needed in taking advantage of up-grading courses and job training schemes under the various government schedules. It was also pointed out that there was a serious shortage of teachers.

Resolution No. I

Whereas there is an urgent need for nursery and kindergarten classes in Indian schools of B.C., and whereas there are not sufficient teachers available, and whereas there is a serious need for up-grading education, be it resolved that

a) the Indian Affairs Branch be requested to subsidize University student teams to go to reserves for the purpose of

   i) establishing and teaching of nursery and kindergarten classes;

   ii) tutoring students who lack credits to pass a grade (open to any person on the reserve);

   iii) conducting research on the development of a nursery and kindergarten curriculum that would be in line with the special needs of Indian children.

Resolution No. II

Whereas there is a need for teachers for pre-school children in isolated reserves throughout B.C., and whereas there are young people in villages who could be trained to fill these positions, be it resolved that an all-out effort be made to publicize this need in order that those who are interested could be encouraged to enter a training centre to qualify for future pre-school teaching positions in isolated areas.

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The meeting recommended that pilot studies be initiated which would lead to a more adequate evaluation of the Indian child's potential (using professional resources available at universities); and that more counselling services be provided in all levels of education:

a) at elementary school level - more information on vocational opportunities and educational requirements;

b) counselling for parents on courses provided for their children.

(It was stressed that guidance counselling was urgently needed in isolated areas such as the interior of B.C. and on the west coast of Vancouver Island).

HEALTH

It was suggested that the feasibility of Indian people belonging individually or collectively to the B.C. Medical Plan be explored. The study should include:

a) the contrast in benefits received under the B.C. Medical Plan and those received under the Indian Affairs Medical Plan;

b) the costs of doctors;

c) the availability of doctors and nurses;

d) the equality of service by the doctors to Indians in relation to the type of service received by non-Indians.

II. INDUSTRY, DEVELOPMENT & EMPLOYMENT Discussion Leader: Chief Philip Paul

Recorder: Ken Williams

1. The major item was felt to be the need for greater emphasis on development of Indian reserves and resources by Indian people themselves. Concern was expressed on past tendencies for Indian reserve lands to be leased with other people developing them and reaping the profits therefrom. It was felt there is a need for assistance to be given to band councils and other

individuals on reserves for development of these lands, so that if they were leased they would at least be partially improved.

2. Before any housing development was started on a reserve, a survey should be made to determine if the land could be developed industrially, as houses may be built on lands that would be available for other purposes; this would apply especially to reserves adjacent to large communities. It was also recommended that advice should be obtained from professional people at a high level and not from people in Indian Affairs, who are not professionally trained for this type of survey. Further, if this were to be set up on a proper business level through corporations and the Societies' Act, it would be advantageous for Indians to be taught how to go about it.

Great difficulty has been experienced in cutting through red tape to obtain monies. Many Indians would like to go into private enterprise if they knew where to start, and this is where professional help is needed.

3. It was recommended that opportunities be made for more Indian people to fill positions with the Department of Indian Affairs, and that more young Indian people be qualified to fill these positions.

III. <u>INDIANS AND THE LAW</u> Discussion Leader: Joe Pierre
Recorder: Mrs. Dorothy Livingston

1. The group felt there was not equality of law to Indians.

2. Do Indians really believe in the law? The consensus, particularly among Indian people present, was that the Indians have always thought of the law as something to be afraid of - as a punishment; and that rules were made with which they did not agree (i.e. liquor, fish and game laws, etc.)

3. Canadians generally are taught that law is made by a democratic process; Indians did not share in this democratic process until lately. Not only do they feel some laws are bad, but they do not feel laws are made for their protection. It was pointed out that Indians do not want to bring forth complaints because the police and courts will not back them up; this is especially true of Indian girls.

4. The whole matter of court procedure and how well it is understood was discussed; is it being administered so that Indians get a "fair break"? It depends on the individual magistrate as to whether or not there is a pre-sentence report, and often the Indian seems to be automatically guilty. There appear to be two court systems - one for the man who can afford a lawyer, and another for the man who cannot afford a lawyer. It has already been suggested that Indians should not be afraid to plead "not guilty", as the onus is then on the court to prove its case.

5. It was recommended that police and court officials go onto reserves and interpret Indians' rights and the law; it was recommended that this be done in the language of the Indian people through an interpreter. Indians need a great deal of education, but in their own language.

Also, Indians in court do not realize they have the right to ask for a translator if they cannot understand the language of the court. This is provided, but Indians do not ask for it.

6. Canada seems to be a country that incarcerates more people than any other country, and the percentage of Indian people in jail is disproportionately high. There is a great need for more social workers in the

jails and more probation officers after the sentence has been served, together with half-way houses, etc. The need for bus transportation back to the city was also pointed out.

7. One Indian leader would like to see more Indians participate in the whole penal system - policemen, magistrates, etc. - so that they might deal with their own people.

8. The whole question of B.C. land and the absence of treaties was discussed briefly, but it was felt to be too involved to go into. Also, Indian people feel that this is their problem and would like Indian lawyers to discuss the matter among the Indian people themselves and within their own organizations. The need for the support of non-Indian organizations was pointed out.

9. The suggestion was made that perhaps there is a need for a native omsbudman to deal with violations of property and persons.

IV. COMMUNICATION

Discussion Leader: Don Robertson
Recorder: Jean Galligos

In order to do something about communication between Indians and non-Indians we must get to know each other as persons on a person-to-person level; to recognize our different attitudes and different backgrounds, and in spite of all the differences we must share with each other our mutual feelings.

Agencies and volunteer organizations: it was felt that the important thing is to have a main purpose. Agencies have a purpose of what they want to do but do not always communicate their ideas to the native people that

they want to help, or determine how they can best work together.

<u>News media - Radio, T.V., Newspapers</u>: the image that has been brought forth about the Indian, which is in most cases negative, was discussed and the suggestion made that pressure be brought to bear on the news media to present a better image of the Indian people.

<u>Suspicion</u>:

- the rebellious attitude (perhaps rightly so) of Indian people towards the authoritarian figure that the white man presents;
- misinterpretation on the part of the white person on the behaviour of the Indian person - the quietness, shyness and reserved characteristics are interpreted in many instances as indications that the Indian people cannot express themselves; and the interpretation of the Indian people themselves that they are inferior and stupid.
- the stereotype image works two ways. The Indian person has an idea of what the white person is like, and the white person has an idea of what the Indian person is like. These ideas are in conflict, and a barrier exists which must be overcome. Ways in which this might be done were suggested as:

  i) getting to know each other;

  ii) involving Indian people in existing organizations to share in the work that needs to be done, and sharing a common task.

- these changes will take place gradually and must be given time to grow.

Lack of communication between Canadian people as a whole: small communities in Canada should receive information about positive action taking place within the different organizations; sometimes the only things that come through are on the negative side.

No formal resolutions came from this discussion group as time was spent on sharing ideas and becoming acquainted with other members of the group on a more personal level than has been done in many conferences.

There is beginning to be a realization by white people that Indians are people as well; and the Indian people have tended to presuppose that they are things to be manipulated and used to their disadvantage. The consensus was that if native and non-native people could understand each other better as individuals, they could then understand better how to work together for the common good and not just for the problems that exist.

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CONSIDERATION OF THE REPORTS

The reports of the four groups were considered by the plenary session, and after due discussion the following resolution was passed.

Motion: By motion duly made, seconded and carried it was resolved that the Conference adopt the reports and recommendations of the four discussion groups.

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The Chairman stated that while the primary function of the Indian-Eskimo Association is to provide a forum and sounding board for Indian people to express their opinions as to what the problems are, certainly the Association

will do everything it can within its area of functioning to bring these matters to the attention of the proper authorities where this is required. However, it is now the responsibility of the Indian citizens of B.C. to press for these changes, and through organizations and societies make representations to corporate government authorities if government is involved, etc.

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INDIAN TREATY RIGHTS

The Chairman called on Dr. Martin O'Connell to outline the Brief on Indian Treaty Rights prepared by the Union of Ontario Indians.

After due discussion, the following two motions were presented and carried.

Motion: (Dr. M. O'Connell - Mr. S. Shank) - that this meeting of the Indian-Eskimo Association of Canada endorse the Brief of the Union of Ontario Indians addressed to the Government of Canada, protesting the infringement by the Migratory Birds Convention Act of historic Indian rights to hunt for food at any time on Indian reservations and unoccupied Crown land, and requesting the Government of Canada to take whatever steps are necessary to restore such rights to the Indians of Canada.

Motion: (Dr. M. O'Connell - Mrs. R. Burg) - that the Indian-Eskimo Association of Canada prepare a Brief to be approved by its Board of Directors and presented to the Government of Canada setting forth its concern over the infringement by the Migratory Birds Convention Act of certain historic Indian rights to hunt for food on reservations and unoccupied Crown lands,

and requesting remedial measures to restore such rights to the Indians of Canada.

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CONCLUDING COMMENTS ON THE CONFERENCE

Mrs. Ethel Taylor of Red Deer, Alta. expressed the appreciation of all the delegates outside B.C. for the privilege of participating in this first Conference of B.C. Indians.

Chief William Scow thanked the Indian-Eskimo Association for making it possible for people to attend this Conference, and stated that the purpose of the meeting will be taken to his people, and young people especially, with the recommendation that they make it their business to attend meetings of this organization where they are free to express themselves.

Mr. Don Robertson expressed appreciation for the invitation to attend the Conference that was extended to him and all other students by the Indian-Eskimo Association.

Mr. Robertson mentioned three points which should be remembered:

1. It is good that Indian people fight for their rights as they are precious to them; but it is hoped that they will not be bogged down as in the past with the same problems. The progressive ideas that have been expressed at this Conference must be taken seriously, and ways and means found to follow up on matters that the Indian people think should be acted upon.

2. One point brought up continually and which needs further consideration,

is the involvement of young people within organizations. More and more young Indian people should be involved as they are the ones to carry on this work; and unless they become oriented to these ideas and challenged to fight for what they think is right, it will always be the same people that take the leadership and look at the problems in the same way as in the past.

3. Mr. Robertson mentioned that he was happy that the meeting agreed on the recommendations of Dr. O'Connell, but regretted that there were not more Indians present to participate in the discussion and thus be prepared for the follow up action.

THE END